UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

31 MAR 1988

OFFICE OF
AIR AND RADIATION

MEMORANDUM

SUBJECT: Transmittal of Reissued OAQPS CEMS Policy

FROM: Gerald A. Emison, Director
Office of Air Quality Planning and Standards

TO: Air and Waste Management Division Director
Region II

Air Management Division Directors
Region I, III and IX

Air, Pesticides and Toxics Management Division Directors
Regions IV and VI

Air and Toxics Division Directors
Regions VII, VIII and X

Air and Radiation Division Director
Region V

Attached is the OAQPS policy on Continuous Emission Monitoring Systems (CEMS) data. This policy was originally issued on July 28, 1987. However, because of the late transmittal date, FY 1988 implementation of the policy was done voluntarily. The policy, after minor streamlining, is being reissued at this time to insure implementation during FY 1989. It has been streamlined by removing the outdated section called "Future Actions."

In accordance with the Operating Year Plan, FTEs and LOE contract funds have been allocated to the Regional Offices for CEMS and compliance monitoring activities. Implementation of this strategy should help you utilize these available resources more efficiently and effectively.

Furthermore, note that tracking SO_2 CEMS requirements is an element of the FY 1989 Strategic Planning and Management System (SPMS). The FY 1989 SPMS requires determination and reporting of the compliance status of SO_2 sources subject to CEMS requirements. Specifically, these sources are to be identified, and their compliance status determined with respect to CEMS installation, certification, report submission and emission limits. While SO_2 sources are emphasized in SPMS, this measure should be carried out for all sources with CEMS requirements.

If you wish to discuss this further, please contact me or Louis Paley of SSCD at FTS 382-2835.

Attachment

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SUBJECT: CEMS Policy

APPROVED: Gerald A. Emison, Director
Office of Air Quality Planning and Standards

DATE:

Purpose

This states the OAQPS policy, which is effective immediately, on the use of Continuous Emission Monitoring Systems (CEMS) data and provides specific guidance as to how that policy should be implemented.

Definition

CEMS is one of several self-monitoring techniques used by regulatory agencies to monitor continuous compliance of sources. Sampling and analysis of sulfur in fuel to assess SO_2 compliance of sources and recordkeeping for assessment of compliance with volatile organic compound (VOC) emission limitations are two other self-monitoring techniques.

Information

As the air compliance program resolves initial compliance problems and sources install control equipment, efforts to assure continuous compliance become increasingly important. Based on the review of State and Regional programs that promote the use of CEMS, OAQPS has found that CEMS is a valuable tool for assuring continuous compliance. Self-monitoring techniques should be integrated into the air compliance program as a means of assessing stationary source continuous compliance with air quality regulations.

Some of the States which effectively use CEMS data in compliance monitoring and in supplementing or supporting enforcement actions are Washington (with SO_2 and total reduced sulfur data) and Tennessee (with opacity monitoring data). Ohio has a comprehensive program for requiring CEMS in operating permits which has resulted in installation of CEMS on a wide variety of source types. Pennsylvania and Indiana have highly structured CEMS programs, including penalty programs based on reported excess emissions.

Policy

OAQPS is committed to promoting, encouraging and utilizing CEMS data as a compliance assessment measure. Our Office is also committed to the use of CEMS in direct enforcement where CEMS is the compliance test method and for supporting enforcement where CEMS is not the compliance test method. OAQPS encourages the use of CEMS data by States in compliance monitoring and in supplementing or supporting enforcement actions. If it is technically feasible, CEMS requirements should be incorporated into NSR preconstruction reviews, operating permits and resolutions of enforcement actions including consent decrees and administrative orders.

CEMS should be used to assure continuous compliance of sources in both attainment and nonattainment areas. Resources should be allocated to monitor continuous compliance of sources in areas where the greatest environmental benefit is likely to occur. Therefore, priority should be given to NESHAPS sources subject to continuous monitoring requirements (currently 40 CFR 61, subparts F, N, O and V) and to SIP (including major and minor NSR sources) and NSPS sources in nonattainment areas (for the pollutant for which the area is in nonattainment). Next, CEMS should be used to monitor the continuous compliance of NSPS and PSD sources in attainment areas. Sources with excessive emission limit excursions identified by CEMS data should be targeted for follow-up action (on-site inspection or §114 letter). Where CEMS is the compliance test method, CEMS data should be used to identify significant violators. These sources will then be tracked in accordance with the "Timely and Appropriate Enforcement Response Guidance," issued by OAR on April 11, 1986.

There are two different types of CEMS data - direct compliance monitoring data and excess emissions monitoring data. Where CEMS is the compliance test method, the status of the source is established and documented by CEMS data. Compliance status determined by CEMS data should be coded in the Compliance

Data System (CDS). Violations identified by direct compliance monitoring data require appropriate enforcement action including the assessment of penalties. There are plans to modify the CEM Subset of CDS to allow for entry of direct compliance monitoring data. Use of CEMS data for direct enforcement where CEMS is the compliance test method is discussed in "Guidance: Enforcement Applications of Continuous Emission Monitoring System Data," issued by OAQPS and OECM on April 22, 1986.

The second type of CEMS data is where CEMS is not the compliance method. In these cases, CEMS data should be used to monitor the continuous compliance of sources and to initiate follow-up action including on-site inspections, requesting further information, and issuing a notice of violation. This application is also discussed in the aforementioned guidance.

Conclusion

CEMS is an important technique for monitoring the continuous compliance of stationary sources. It should be an expanding component of the air compliance program. Evaluation of CEMS data has been shown to be effective for identifying sources with continuous compliance problems and has allowed agencies to utilize their compliance monitoring resources more effectively.